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DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "CARDIAC VALVE PROCEDURE METHODS AND DEVICES", the specification of which is filed herewith, and is identified by Attorney's Docket No. VIA-3.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

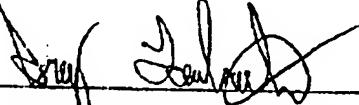
I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby appoint Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17293, Mark J. Pandiscio, Registration No. 30883, Scott R. Foster, Registration No. 20570, and James A. Sheridan, Registration No. 43,114, or any of them, of

VIA-3

470 Totten Pond Road, Waltham, Massachusetts 02451-1914, (Telephone No. 781-290-0060), my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature: 

Inventor's full name: Gregory H. Lambrecht

Date: 10/19/2000

Residence: 220 Eliot Street

Natick, Massachusetts 01760

Post Office Address: Same

Citizenship: U.S.A.

VIA-3

- 3 -

Inventor's signature: 

Inventor's full name: John Liddicoat

Date: 10/23/00

Residence: Barberry Farm, Barberry Road
Sewickley, Pennsylvania 15143

Post Office Address: Same

Citizenship: U.S.A.

Inventor's signature: 

Inventor's full name: Robert Kevin Moore

Date: 10-19-2000

Residence: 4 Rolling Lane
Natick, Massachusetts 01760

Post Office Address: Same

Citizenship: U.S.A.

MB/VIA3.DEC

VIA-3

DECLARATION AND POWER OF ATTORNEY

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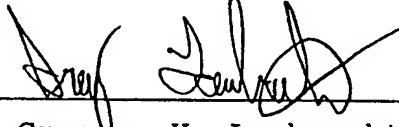
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Inventor's signature: 

Inventor's full name: Gregory H. Lambrecht

Date:

10/19/2000

Residence:

220 Eliot Street

Natick, Massachusetts 01760

Post Office Address: Same

Citizenship: U.S.A.

Inventor's signature: _____
Inventor's full name: John Liddicoat
Date: _____
Residence: Barberry Farm, Barberry Road
Sewickley, Pennsylvania 15143
Post Office Address: Same
Citizenship: U.S.A.

Inventor's signature: Robert Kevin Moore
Inventor's full name: Robert Kevin Moore
Date: 10-19-2000
Residence: 4 Rolling Lane
Natick, Massachusetts 01760
Post Office Address: Same
Citizenship: U.S.A.

MB/VIA3.DEC

VIA-3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gregory H. Lambrecht et al.
For: CARDIAC VALVE PROCEDURE METHODS AND
DEVICES
Attorney's Docket No.: VIA-3

Assistant Commissioner For Patents
Washington, D.C. 20231

VERIFIED STATEMENT CLAIMING SMALL BUSINESS ENTITY STATUS

The undersigned, Todd Davenport, hereby declares that he is Chairman, CEO, and President of VIACOR, Inc., a Delaware corporation having a principal place of business at 66-H Concord Street, Wilmington, Massachusetts 01887, and is empowered to act on behalf of said corporation in this matter; that said corporation qualifies as a small business concern as defined in 13 C.F.R. 121.3-18 for purposes of paying reduced fees under Title 35, United States Code, Sections 41(a) and (b), in that the number of employees of said corporation, including those of its affiliates, does not exceed 500 persons; and that on information and belief, exclusive rights under contract have been conveyed to and remain in said corporation with regard to the invention described and claimed in the above-identified U.S. patent application

For purposes of this statement, the number of employees of said corporation is the average over the previous fiscal year of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and concerns are affiliates of each other when either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001, and that such willful false statements may jeopardize the validity of the above-identified application, any patent issuing thereon, or any patent to which this verified statement is directed.

VIACOR, Inc.

10/19/00
Date


Todd Davenport
Chairman, CEO, and President

RECORDATION FORM COVER SHEET
PATENTS ONLY

Tab settings □ □ □ □ □ □ □ □ □ □ □ □

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Gregory H. Lambrecht
 John Liddicoat
 Robert Kevin Moore

Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies)

Name: VIACOR, Inc.

Internal Address:

Street Address: 66 H Concord Street

City: Wilimington State: MA ZIP: 01887

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: October 19 and October 23, 2000

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 10/19 and 10/23/

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Pandiscio & Pandiscio

Internal Address: James A. Sheridan

Street Address: 470 Totten Pond Road

City: Waltham State: MA ZIP: 02451

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

 Enclosed Authorized to be charged to deposit account (any deficiencies)

8. Deposit account number:

16-0221

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

James A. Sheridan

Name of Person Signing

James A. Sheridan

Signature

November 09, 2000

Date

Total number of pages including cover sheet, attachments, and document: 3

ASSIGNMENT

We, Gregory H. Lambrecht, John Liddicoat, and Robert Kevin Moore,
, residing respectively at 220 Eliot Street,
Natick, MA 01760; Barberry Farm, Barberry Road, Sewickley, PA 15143, and
4 Rolling Lane, Natick, MA 01760,

, having invented improvements in CARDIAC VALVE PROCEDURE METHODS AND DEVICES
and having this day executed an application for United States patent describing
the same and based thereon (and we hereby authorize our attorney(s), authorized
to prosecute said application, to here insert the filing date and serial number
of said application, when known, Serial No. _____, Filed _____),
for good and valuable consideration, receipt of which is hereby acknowledged
from VACOR, Inc. a Delaware

corporation having its principal place of business in
Wilmington, MA hereinafter called the Assignee
(which term shall include its successors and assigns) do hereby sell, assign
and transfer unto the Assignee our entire right, title, and interest, in and
throughout the United States of America (including its territories and depend-
encies) and all countries foreign thereto, in and to and under said application
(which term shall include hereinafter where the context so admits all division-
al, continuing, reissue and other patent applications based thereon) and the
inventions (which term shall include each and every such invention, or any part
thereof) therein described, and any and all patents and like rights of exclu-
sion (including extensions thereof) of any country which may be granted on or
for said inventions or on said application.

And for the same consideration we do also hereby sell, assign and transfer unto the Assignee all our rights under the International Convention for the Protection of Industrial Property and all other treaties of like purpose in respect of said inventions and said application and we do hereby authorize the Assignee to apply in our names or its own name for patents and like rights of exclusion on or for said inventions in all countries, claiming (if the Assignee so desires) the priority of the filing date of said application under the provisions of said Convention or any such other treaty;

And for the same consideration we do hereby jointly and severally agree for ourselves and for our respective heirs, executors and administrators, promptly upon request of the Assignee, to execute and deliver without further compensation any power of attorney, assignment, original, divisional, continuing, re-issue or other application or applications for patent or patents or like rights of exclusion of any country, or other lawful documents and any further assurances that may be deemed necessary or desirable by the Assignee fully to secure to it said right, title, and interest as aforesaid in and to said inventions, application, and said several patents and like rights of exclusion, or any of them, all, however, at the expense of the Assignee;

And we do hereby authorize and request the Commissioner of Patents of the United States of America and the corresponding Officer of each country foreign thereto to issue to the Assignee any and all patents and like rights of exclusion which may be granted in any country upon said application or on or for said inventions;

DOCKET
NO.

VIA-3

ASSIGNMENT

We, Gregory H. Lambrecht, John Liddicoat, and Robert Kevin Moore,
, residing respectively at 220 Eliot Street,
Natick, MA 01760, Barberry Farm, Barberry Road, Sewickley, PA 15143, and
4 Rolling Lane, Natick, MA 01760,
having invented improvements in CARDIAC VALVE PROCEDURE METHODS AND DEVICES
and having this day executed an application for United States patent describing
the same and based thereon (and we hereby authorize our attorney(s), authorized
to prosecute said application, to here insert the filing date and serial number
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corporation having its principal place of business in
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(which term shall include its successors and assigns) do hereby sell, assign
and transfer unto the Assignee our entire right, title, and interest, in and
throughout the United States of America (including its territories and depend-
encies) and all countries foreign thereto, in and to and under said application
(which term shall include hereinafter where the context so admits all division-
al, continuing, reissue and other patent applications based thereon) and the
inventions (which term shall include each and every such invention, or any part
thereof) therein described, and any and all patents and like rights of exclu-
sion (including extensions thereof) of any country which may be granted on or
for said inventions or on said application.

And for the same consideration we do also hereby sell, assign and transfer unto the Assignee all our rights under the International Convention for the Protection of Industrial Property and all other treaties of like purpose in respect of said inventions and said application and we do hereby authorize the Assignee to apply in our names or its own name for patents and like rights of exclusion on or for said inventions in all countries, claiming (if the Assignee so desires) the priority of the filing date of said application under the provisions of said Convention or any such other treaty;

And for the same consideration we do hereby jointly and severally agree for ourselves and for our respective heirs, executors and administrators, promptly upon request of the Assignee, to execute and deliver without further compensation any power of attorney, assignment, original, divisional, continuing, re-issue or other application or applications for patent or patents or like rights of exclusion of any country, or other lawful documents and any further assurances that may be deemed necessary or desirable by the Assignee fully to secure to it said right, title, and interest as aforesaid in and to said inventions, application, and said several patents and like rights of exclusion, or any of them, all, however, at the expense of the Assignee;

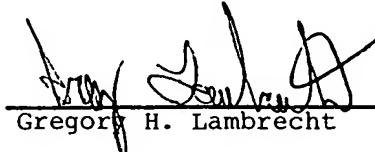
And we do hereby authorize and request the Commissioner of Patents of the United States of America and the corresponding Officer of each country foreign thereto to issue to the Assignee any and all patents and like rights of exclusion which may be granted in any country upon said application or on or for said inventions;

**DOCKET
NO.**

VIA-3

And we do hereby jointly and severally covenant for ourselves and for our respective legal representatives and agree with the Assignee that we have granted no right or license to make, use or sell said inventions to anyone except the Assignee, that prior to the execution of this deed our right, title and interest in and to said inventions has not been otherwise encumbered by us, and that we have not executed and will not execute any instrument in conflict herewith.

IN WITNESS WHEREOF, we hereunto set our hands and seals on the day and year hereinafter noted.


Gregory H. Lambrecht

10/19/2000

John Liddicoat


Robert Kevin Moore 10-19-2000

State of Massachusetts
County of Middlesex ss.

Before me this 19th day of October,
2000, personally appeared Gregory H. Lambrecht, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.

SEAL



NOTARY PUBLIC

My commission expires April 17, 2003.

State of _____
County of _____ ss.

Before me this _____ day of _____,
2000, personally appeared John Liddicoat, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.

SEAL

NOTARY PUBLIC

State of Massachusetts
County of Middlesex ss.

Before me this 19th day of October,
2000, personally appeared Robert Kevin Moore, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.

SEAL



NOTARY PUBLIC

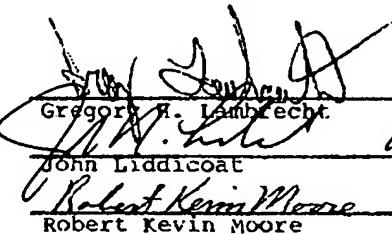
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DOCKET
NO.

VIA-3

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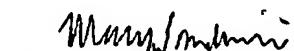
IN WITNESS WHEREOF, we hereunto set our hands and seals on the day and year hereinafter noted.


Gregory H. Lambrecht 10/19/2000
John Liddicoat 10/27/00
Robert Kevin Moore 10-19-2000
Robert Kevin Moore

State of Massachusetts) ss.
County of Middlesex)

Before me this 19th day of October,
2000, personally appeared Gregory H. Lambrecht, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.

SEAL



NOTARY PUBLIC

My commission expires April 17, 2003.

State of Pennsylvania) ss.
County of Allegheny)

Before me this 23rd day of October,
2000, personally appeared John Liddicoat, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.

SEAL



NOTARY PUBLIC

Notarial Seal
Marlene Marree, Notary Public
Pittsburgh, Allegheny County
My Commission Expires Apr. 22, 2003

Member, Pennsylvania Association of Notaries

State of Massachusetts) ss.
County of Middlesex)

Before me this 19th day of October,
2000, personally appeared Robert Kevin Moore, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.

SEAL



NOTARY PUBLIC

My commission expires April 17, 2003.

DOCKET
NO.

VIA-3

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